

REMARKS/ARGUMENTS

Claims 41-76 are pending upon entry of this amendment. Claims 1-40 have been canceled. New claims 41-76 have been added. No new matter has been added by the addition of the new claims.

Claims 1-12, 18-25, 30, 32-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,574,583 to Gao et al. (Gao) in view of U.S. Patent Application Publication No. 2003/0105628 to Zinser Jr., et al. (Zinser).

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Gao in view of U.S. Patent 5,809,459 to Bergstrom, et al. (Bergstrom).

Claims 13, 15-16, and 26-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gao.

Claims 17 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gao in view of U.S. Patent 5,341,456 to DeJaco (Dejaco).

Formal Matters

Applicants are unable to determine the grounds of rejection of original claims 28 and 29. Although claims 28 and 29 have been canceled, new claims 70 and 71 are related to original claims 28 and 29. Applicants respectfully request that the Examiner clearly articulate any grounds for rejection of claims 70 and 71 in any forthcoming Office action.

Abstract

The Abstract has been amended to reduce the length to 148 words as required by MPEP 608.01(b). Thus, the objection to the specification is rendered moot.

Claim Rejections - 35 U.S.C. § 103

Claim 41 recites a frame classification and rate determination module that is operative to "output a frame class and a rate for the destination voice codec through the use of one or more parameters associated with the source bitstream coded in the source voice codec and free from the use of a voice signal," among other elements. Applicants respectfully submit that the cited references, either considered alone or in combination, do not teach or suggest at least these elements in the manner claimed.

Gao relates to a speech compression system capable of encoding a speech signal into a bitstream for subsequent decoding to generate synthesized speech. (Gao at Abstract). As shown in FIG. 1, Gao processes analog speech signals (speech signal 18). Since the inputs to the system described by Gao are analog speech signals, there is no source bitstream and no discussion of using parameters associated with a source bitstream. The sender of the speech signals "may be a human voice, a musical instrument or any other device capable of emitting analog signals. The speech signal 18 can represent any type of sound, such as, voice speech, unvoiced speech, background noise, silence, music etc." (Gao at col. 6, lines 32-36). Thus, because Gao operates on analog signals, Gao does not teach or suggest the claimed frame classification and rate determination module. Moreover, the secondary reference does not make up for these deficiencies in Gao. For at least these reasons, claim 41 is in condition for allowance.

Claims 42-65, which depend from claim 41, are in condition for allowance, for at least the reasons discussed in relation to claim 41, as well as for the additional elements they recite.

Claim 66 recites "processing the one or more parameters and the one or more intermediate data parameters utilizing a classification process," among other elements. Applicants respectfully submit that the cited references, either considered alone or in combination, do not teach or suggest at least these elements in the manner claimed.

As discussed in relation to claim 41, Gao processes analog speech signals, not parameters extracted from a source bitstream or intermediate data parameters associated with one or more previous frames and retrieved from a buffer. Moreover, the secondary reference does not make up for these deficiencies in Gao. For at least these reasons, claim 66 is in condition for allowance.

Claims 67-76, which depend from claim 66, are in condition for allowance, for at least the reasons discussed in relation to claim 66, as well as for the additional elements they recite.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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